

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

Ada Perkins,  
Plaintiff,

vs.

Case No. 1:10-cv-233

Commissioner of Social Security,  
Defendant

**ORDER**

This matter is before the Court on the Magistrate Judge's Report and Recommendation filed May 23, 2011 (Doc. 13).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. See United States v. Walters, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's Report and Recommendation have been filed.

Having reviewed this matter de novo pursuant to 28 U.S.C. § 636, we find the Magistrate Judge's Report and Recommendation correct.

Accordingly, it is **ORDERED** that the Report and Recommendation of the Magistrate Judge is hereby **ADOPTED**. This action is **REVERSED** pursuant to Sentence Four of 42 U.S.C. § 405(g) and **REMANDED**. The Commissioner and the Administrative Law Judge are to re-evaluate the treating physician's opinions under the legal criteria set forth in the Regulations, Rulings, and as required by case law, and to determine anew whether plaintiff is under a disability within the meaning of the Social Security Act.

Date: June 16, 2011

s/Sandra S. Beckwith  
Sandra S. Beckwith, Senior Judge  
United States District Court